

REMARKS

Reconsideration and allowance of the subject application are respectfully requested.

The Examiner objects to claims 29 and 30 under 37 CFR §1.75(c) as being of improper dependent form for failing to further limit the subject matter of a previous claim. Claim 29 now specifies that the controller in claim 18 is a "serving controller" which receives the neighbor cell list "from a drift controller and extra cell information." The neighbor cell list is then filtered based on the "extra cell information." These dependent claim features further limit independent claim 18. Claim 30 similarly limits claim 18 by specifying that the controller is a "drift controller" that receives the velocity vector related information from a "serving controller." The filtering of the cell list depends not only on the velocity vector related information but also on "extra cell information." These features further limit claim 18. Withdrawal of the objection to claims 29 and 30 is respectfully requested.

Claims 1-4, 7-10, 12-16, 18-21, 24-27, 29-33 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Stumpert in view of Corbett. Additional references are added to reject the remaining claims. These rejections are respectfully traversed.

Claim 1 incorporates the features from now-canceled claims 4, 6, and 7. The other independent claims incorporate similar features.

To maintain the pending rejection for the combination of features recited in the independent claims, the Examiner relies on Stumpert, Corbett, and Benveniste. The Examiner admits that Stumpert fails to disclose using velocity vector information to create a filtered neighbor cell list. Indeed, Stumpert employs filtering based on different access restrictions for different areas 1, 2, and 3 of the UTRAN.

For velocity vector information, the Examiner relies on Corbett which teaches calculating a mobile station velocity vector to estimate a future location for the mobile station and generate a weighted probability of arrival for each proximate cell or sector. A bias value for each cell or sector is then estimated based on the determined weighted probabilities of arrival. A high estimated probability of arrival to a neighboring cell or sector results in a large bias value associated with that cell/sector (and vice versa). A bias message, containing a list of bias cells/sectors along with their associated bias values, is transmitted to the mobile station. Significantly, the greater the mobile station velocity, the higher the frequency the bias message will be transmitted. See column 6, lines 18-25. The mobile station at the bias values to the signal quality values associated with each cell on the active and candidate sets, the cells with the highest sum determine which cells are added or removed from the active and candidate cell list.

Corbett does not teach "filtering out fewer cells from the neighbor cell list when the speed of the user equipment is higher than when the speed is lower." Applicants have reviewed the text relied upon by the Examiner in column 4, lines 56 and column 5, line 53 and do not find a teaching of this specific type of filtering.

The independent claims also recite that "when the network includes different hierarchical level cells, the filtering depends on the speed of the user equipment." One or more larger cells is filtered out from the neighbor cell list when the speed is under a speed threshold, and one or smaller cells is filtered out from the list when the speed is over the speed threshold. The Examiner admits that neither Stumpert nor Corbett discloses these features, and relies upon a third reference to Benveniste. Contrary to the Examiner's contention, Benveniste does not teach *filtering a neighbor cell list*. Although there is some teaching of only serving slow moving vehicles in a microcell, this is not the same thing as filtering a neighbor's cell list based on

hierarchical cell levels and user equipment speed. It is not clear where Benveniste even describes any type of cell list associated with handover--let alone filtering out from a neighbor's cell list certain size cells based on the user equipment speed.


The independent claims further recite that "when the network includes cells using different radio access technologies, the filtering depends on which radio access technology is used in the different cells." The Examiner contends that Stumpert discloses this feature, citing Figure 2 and several paragraphs including paragraphs 32, 33, and 62-67. Stumpert is concerned with access restrictions and not with the type of radio access technology used in a particular cell. The filtering is based on subscriber information rather than on radio access technology type.

Because there are numerous features not disclosed by Stumpert, Corbett, and Benveniste, coupled with the fact that the Examiner must rely upon the teachings of three or more references in an attempt to reconstruct the claimed features, the rejection should be withdrawn and the application passed to allowance. An early notice of allowance is therefore respectfully requested.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By:


John R. Lastova
Reg. No. 33,149

JRL:sd
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100